

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

JASON LEE KING

CRIMINAL COMPLAINT

Case Number:

12-MJ-60 (MKK)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 30, 2011, in Beltrami County, in the State and District of Minnesota, defendant(s)

did unlawfully obstruct, delay, and affect commerce, and attempt to do so, by means of robbery in that the defendant did unlawfully take approximately \$1,476 in cash and checks belonging to the Newby's Market near Bemidji, Minnesota, a business engaged in and affecting interstate commerce, by taking the money from a victim employee, against the employee's will, by means of actual and threatened force, violence, and fear of injury to the victim's person, in violation of Title 18, United States Code, Section 1951.

in violation of Title 18, United States Code, Section(s) 1951.

I further state that I am a(n) ATF Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Feb. 22, 2012
Date

The Honorable Mary Kay Klein
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

Jason Wambach

Signature of Complainant
Jason Wambach
ATF

Bemidji, MN
City and State

Mary Kay Klein
Signature of Judicial Officer

SCANNED

FEB 27 2012

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA)
)
 COUNTY OF BELTRAMI)

ss. AFFIDAVIT OF Jason Wambach

12 - MJ - 60 (mkk)

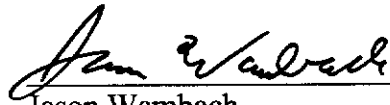
I, Jason Wambach, being first duly sworn under oath, depose and state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives. I have been so employed for four years. I have been a law enforcement officer for a total of 16 years. This affidavit is based on my review of investigative reports as well as my personal participation in the investigation. Since this affidavit is being submitted for the limited purpose of establishing probable cause to believe that the defendant committed the offense charged, I have not included all information known to me about this matter.
2. On December 30, 2011, at approximately 9:00 p.m., Beltrami County Sheriff's Office (BCSO) Deputies responded to Newby's Market, a gas station/convenience store, located north of Bemidji, MN, on a report of an armed robbery. The victim employee reported that two masked males armed with a sawed off shotgun and a knife had robbed him of the store's receipts at gunpoint. Subsequently obtained footage from store security cameras confirms this account. Responding deputies obtained a suspect vehicle description and BCSO Sergeant Riggs located the vehicle, a blue Chevrolet truck, as it turned on to Silver Lake Road in the vicinity of the reported robbery. As law enforcement closed in on the vehicle, two suspects were observed abandoning the vehicle and fleeing on foot into nearby woods. The suspects were tracked to a wooded location where they were taken into custody by BCSO Deputies and RLPD Officers without incident. The two suspects were identified as Jason KING and D.J., a juvenile. D.J. had a large hunting knife in a sheath attached to his belt.
3. Retracing the suspects' flight through the woods, officers recovered a sawed-off or short-barreled shotgun underwater in a swampy area adjacent to the suspects' shoe prints. The firearm was identified as a Remington brand, model 870 Express, 20 gauge pump shotgun, bearing serial number AB295884U. It was loaded with four shells. Further examination showed the barrel had been shortened to approximately 14 inches in length.
4. BCSO Investigator Hinnners executed a search warrant on the vehicle from which King and D.J. had fled, which vehicle had been stolen from Bemidji, MN, shortly before the robbery. Investigator Hinnners recovered a black ski mask, several receipts from Newby's Market, and a check from an individual made out to Newby's Market. In addition, an amount of cash consistent with the amount taken during the robbery -- approximately \$1420 -- was recovered from the vehicle and the persons of the two suspects at the time of their arrests.
5. On January 1, 2012, your affiant interviewed D.J. at the Northwest Juvenile Detention Center in Bemidji, MN. D.J. stated that Jason KING and he received a ride from Red Lake to Bemidji shortly before the robbery. Furthermore, he said that KING brought along a sawed-off shotgun. D.J. said they stopped briefly at Newby's Market on the way to Bemidji before going to Wal-Mart where D.J. stole a black mask which he used during the

robbery. D.J. said they then drove to a location in Bemidji where he and KING stole an unoccupied vehicle. D.J. said that KING chipped the ignition and drove the stolen vehicle, in which D.J. was a passenger, to the robbery. D.J. said that KING possessed the shotgun during the robbery and that he (D.J.) possessed a knife during the robbery.

6. On January 5, 2012, your affiant interviewed the owner of Newby's Market, who confirmed that the business is a convenience store/gas station that is involved in commercial activity affecting interstate commerce. Among other things, the store sells gasoline, tobacco products, soft drinks and other products that are manufactured outside the state of Minnesota and shipped to the store across state lines on a regular basis for resale out of the store.

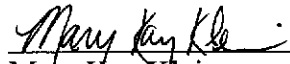
Further you Affiant sayeth not.



Jason Wambach
Special Agent, ATF

SUBSCRIBED and SWORN to before me

This 22 day of February, 2012



Mary Kay Klein
United States Magistrate Judge